

Order

Michigan Supreme Court
Lansing, Michigan

June 25, 2008

Clifford W. Taylor,
Chief Justice

135893

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

MARKELL VANSLEMBROUCK, a Minor,
by his Next Friend KIMBERLY A.
VANSLEMBROUCK, and KIMBERLY
A. VANSLEMBROUCK, Individually,
Plaintiffs-Appellees,

v

SC: 135893
COA: 273551
Oakland CC: 2006-074585-NH

ANDREW JAY HALPERIN, M.D.,
MICHIGAN INSTITUTE OF GYNECOLOGY
& OBSTETRICS, P.C., and WILLIAM
BEAUMONT HOSPITAL,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the January 15, 2008 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether, in this medical malpractice case involving a minor who was allegedly injured at birth, the plaintiffs are entitled to the benefit of the tolling provision in MCL 600.5856(c) where the plaintiffs provided a notice of intent prior to the minor reaching 10 years of age but filed their complaint after the minor had reached 10 years of age. The parties shall address in their arguments whether MCL 600.5851(7) provides a period of limitation.

Persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 25, 2008

Corbin R. Davis

Clerk